



General Assembly

February Session, 2004

Raised Bill No. 569

LCO No. 2291

02291_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

***AN ACT CONCERNING REVISIONS TO THE PUBLIC HEALTH
STATUTES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 20-12b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2004*):

4 (b) The department may, upon receipt of a fee of seventy-five
5 dollars, issue a temporary permit to an applicant who (1) is a graduate
6 of an accredited physician assistant program; (2) has completed not
7 less than sixty hours of didactic instruction in pharmacology for
8 physician assistant practice approved by the department; and (3) if
9 applying for such permit on and after September 30, 1991, holds a
10 baccalaureate or higher degree in any field from a regionally
11 accredited institution of higher education. Such temporary permit shall
12 authorize the holder to practice as a physician assistant only in those
13 settings where the supervising physician is physically present on the
14 premises and is immediately available to the physician assistant when
15 needed, but shall not authorize the holder to prescribe or dispense
16 drugs. Such temporary permit shall be valid [from the date of issuance

17 of same until the date of issuance of the results of the first certification
18 examination scheduled by the national commission following the
19 applicant's graduation from an accredited physician assistant
20 program] for a period not to exceed one hundred twenty calendar days
21 after the date of graduation and shall not be renewable. Such permit
22 shall become void and shall not be reissued in the event that the
23 applicant fails to pass such examination. Violation of the restrictions
24 on practice set forth in this subsection may constitute a basis for denial
25 of licensure as a physician assistant.

26 Sec. 2. Subsection (b) of section 20-70 of the general statutes is
27 repealed and the following is substituted in lieu thereof (*Effective*
28 *October 1, 2004*):

29 (b) Any person who is a graduate of an approved United States
30 physical therapy school and who has filed an application with the
31 department may [, between the dates of filing and the publication of
32 the results of the next succeeding examination,] practice as a physical
33 therapist under the direct and immediate supervision of a licensed
34 physical therapist in this state for a period not to exceed one hundred
35 twenty calendar days after the date of application. If the person
36 practicing pursuant to this section fails to pass the examination, all
37 privileges under this section shall automatically cease.

38 Sec. 3. Subsection (b) of section 20-70 of the general statutes, as
39 amended by section 13 of public act 00-226, is repealed and the
40 following is substituted in lieu thereof (*Effective on and after the later of*
41 *the effective date of this act, or the date notice is published by the*
42 *Commissioner of Public Health in the Connecticut Law Journal indicating*
43 *that the licensing of athletic trainers and physical therapist assistants is being*
44 *implemented by the commissioner*):

45 (b) (1) Any person who is a graduate of an approved United States
46 physical therapy school and who has filed an application with the
47 department may [, between the dates of filing and the publication of
48 the results of the next succeeding examination,] practice as a physical

49 therapist under the direct and immediate supervision of a licensed
50 physical therapist in this state for a period not to exceed one hundred
51 twenty calendar days after the date of application. If the person
52 practicing pursuant to this subdivision fails to pass the examination,
53 all privileges under this subdivision shall automatically cease.

54 (2) Any person who is a graduate of an approved United States
55 physical therapist assistant school or an approved physical therapy
56 school and who has filed an application with the department may [,
57 between the dates of filing and the publication of the results of the next
58 succeeding examination,] practice as a physical therapist assistant
59 under the direct and immediate supervision of a licensed physical
60 therapist in this state for a period not to exceed one hundred twenty
61 calendar days after the date of application. If the person practicing
62 pursuant to this subdivision fails to pass the examination, all privileges
63 under this subdivision shall automatically cease.

64 Sec. 4. Section 20-70a of the general statutes is repealed and the
65 following is substituted in lieu thereof (*Effective October 1, 2004*):

66 Any applicant for examination for licensure as a physical therapist
67 whose application is based on a diploma issued to [him] the applicant
68 by a foreign physical therapy school shall furnish documentary
69 evidence, satisfactory to the department that the requirements for
70 graduation are similar to or higher than those required of graduates of
71 approved United States schools of therapy. Any applicant under this
72 section whose application has been filed and approved by said
73 department may [, between the dates of filing and the publication of
74 the results of the next succeeding examination,] practice as a physical
75 therapist under the continuous direction and immediate supervision of
76 a physical therapist licensed to practice in this state, in a licensed
77 health care facility, for a period not to exceed one hundred twenty
78 calendar days after the date of application, provided this privilege
79 shall automatically cease on failure of an applicant to pass the
80 examination.

81 Sec. 5. Section 20-74d of the general statutes is repealed and the
82 following is substituted in lieu thereof (*Effective October 1, 2004*):

83 [Permits limited as to eligibility, practice and duration, shall be
84 issued by the commissioner to any eligible applicant] The department
85 may issue a temporary permit to an applicant who is a graduate of an
86 educational program in occupational therapy who meets the
87 educational and field experience requirements of section 20-74b and
88 has not yet taken the licensure examination. [, except that such permit
89 shall only be effective until the results of the examination next
90 following the issuance of such permit are announced. A permittee shall
91 be authorized to practice occupational therapy only under the direct
92 supervision of a licensed occupational therapist and shall practice only
93 in a public, voluntary or proprietary facility] Such temporary permit
94 shall authorize the holder to practice occupational therapy only under
95 the direct supervision of a licensed occupational therapist and in a
96 public, voluntary or proprietary facility. Such temporary permit shall
97 be valid for a period not to exceed one hundred twenty calendar days
98 after the date of application and shall not be renewable. Such permit
99 shall become void and shall not be reissued in the event that the
100 applicant fails to pass such examination. The fee for a limited permit
101 shall be twenty-five dollars.

102 Sec. 6. Subsection (f) of section 20-74bb of the general statutes is
103 repealed and the following is substituted in lieu thereof (*Effective*
104 *October 1, 2004*):

105 (f) Notwithstanding the provisions of subsection (a) of this section, a
106 graduate of a course of study approved pursuant to subdivision (1) of
107 said subsection may operate a medical x-ray system [pending the
108 results of the first examination for licensure scheduled following his or
109 her] for a period not to exceed one hundred twenty calendar days after
110 the date of graduation, provided such graduate is working in a
111 hospital or similar organization where adequate supervision is
112 provided. If the person practicing pursuant to this subsection fails to

113 pass the examination, all privileges under this subsection shall cease.

114 Sec. 7. Section 20-94 of the general statutes is repealed and the
115 following is substituted in lieu thereof (*Effective October 1, 2004*):

116 (a) Any [licensed nurse registered in another state or territory]
117 registered nurse who is currently licensed in another state of the
118 United States, the District of Columbia or a commonwealth or territory
119 subject to the laws of the United States, which has licensure
120 requirements that are substantially similar to or higher than those of
121 this state shall be eligible for licensure in this state and entitled to a
122 license without examination upon payment of a fee of ninety dollars.
123 No license shall be issued under this section to any applicant against
124 whom professional disciplinary action is pending or who is the subject
125 of an unresolved complaint. The department shall inform the board
126 annually of the number of applications it receives for licenses under
127 this section.

128 (b) The Department of Public Health may issue a temporary permit
129 to an applicant for licensure without examination or to an applicant
130 previously licensed in Connecticut whose license has become void
131 pursuant to section 19a-88, upon receipt of a completed application
132 form, accompanied by the fee for licensure without examination, a
133 copy of a current license from another state [or territory which has
134 licensure requirements that are substantially similar to or higher than
135 those of this state] of the United States, the District of Columbia or a
136 commonwealth or territory subject to the laws of the United States,
137 and a notarized affidavit attesting that said license is valid and belongs
138 to the person requesting notarization. Such temporary permit shall be
139 valid for a period not to exceed one hundred twenty calendar days and
140 shall not be renewable. No temporary permit shall be issued under
141 this section to any applicant against whom professional disciplinary
142 action is pending or who is the subject of an unresolved complaint.

143 Sec. 8. Subsection (a) of section 20-94a of the general statutes is
144 repealed and the following is substituted in lieu thereof (*Effective*

145 October 1, 2004):

146 (a) The Department of Public Health may issue an advanced
 147 practice registered nurse license to a person seeking to perform the
 148 activities described in subsection (b) of section 20-87a, as amended,
 149 upon receipt of a fee of one hundred dollars, to an applicant who: (1)
 150 [Is eligible for] Maintains a license as a registered nurse in this state, as
 151 provided by section 20-93 or 20-94, as amended by this act; (2) holds
 152 and maintains current certification as a nurse practitioner, a clinical
 153 nurse specialist or a nurse anesthetist from one of the following
 154 national certifying bodies that certify nurses in advanced practice: The
 155 American Nurses' Association, the Nurses' Association of the
 156 American College of Obstetricians and Gynecologists Certification
 157 Corporation, the National Board of Pediatric Nurse Practitioners and
 158 Associates or the American Association of Nurse Anesthetists, their
 159 successors or other appropriate national certifying bodies approved by
 160 the Board of Examiners for Nursing; (3) has completed thirty hours of
 161 education in pharmacology for advanced nursing practice; and (4) if
 162 first certified by one of the foregoing certifying bodies after December
 163 31, 1994, holds a master's degree in nursing or in a related field
 164 recognized for certification as either a nurse practitioner, a clinical
 165 nurse specialist, or a nurse anesthetist by one of the foregoing
 166 certifying bodies. No license shall be issued under this section to any
 167 applicant against whom professional disciplinary action is pending or
 168 who is the subject of an unresolved complaint.

169 Sec. 9. Section 20-97 of the general statutes is repealed and the
 170 following is substituted in lieu thereof (*Effective October 1, 2004*):

171 (a) Any person [certified] who is currently licensed as a licensed
 172 practical nurse, or as a person entitled to perform similar services
 173 under a different designation, in another state of the United States, the
 174 District of Columbia or a commonwealth or territory subject to the
 175 laws of the United States whose requirements for [certification]
 176 licensure in such capacity are substantially similar to or higher than

177 those of this state, shall be eligible for licensure in this state and
 178 entitled to a license without examination upon payment of a fee of
 179 seventy-five dollars. No license shall be issued under this section to
 180 any applicant against whom professional disciplinary action is
 181 pending or who is the subject of an unresolved complaint. The
 182 department shall inform the board annually of the number of
 183 applications it receives for licenses under this section.

184 (b) The Department of Public Health may issue a temporary permit
 185 to an applicant for licensure without examination or to an applicant
 186 previously licensed in Connecticut whose license has become void
 187 pursuant to section 19a-88, upon receipt of a completed application
 188 form, accompanied by the appropriate fee for licensure without
 189 examination, a copy of a current license from another state [or territory
 190 which has licensure requirements that are substantially similar to or
 191 higher than those of this state] of the United States, the District of
 192 Columbia or a commonwealth or territory subject to the laws of the
 193 United States and a notarized affidavit attesting that the license is valid
 194 and belongs to the person requesting notarization. Such temporary
 195 permit shall be valid for a period not to exceed one hundred twenty
 196 calendar days and shall not be renewable. No temporary permit shall
 197 be issued under this section to any applicant against whom
 198 professional disciplinary action is pending or who is the subject of an
 199 unresolved complaint.

200 Sec. 10. Section 20-101 of the general statutes is repealed and the
 201 following is substituted in lieu thereof (*Effective October 1, 2004*):

202 No provision of this chapter shall confer any authority to practice
 203 medicine or surgery nor shall this chapter prohibit any person from
 204 the domestic administration of family remedies or the furnishing of
 205 assistance in the case of an emergency; nor shall it be construed as
 206 prohibiting persons employed in state hospitals and state sanatoriums
 207 and subsidiary workers in general hospitals from assisting in the
 208 nursing care of patients if adequate medical and nursing supervision is

209 provided; nor shall it be construed as prohibiting students who are
210 enrolled in schools of nursing approved pursuant to section 20-90, as
211 amended, and students who are enrolled in schools for licensed
212 practical nurses approved pursuant to section 20-90, as amended, from
213 performing such work as is incidental to their respective courses of
214 study; nor shall it prohibit graduates of schools of nursing or schools
215 for licensed practical nurses approved pursuant to section 20-90, as
216 amended, from nursing the sick [pending the results of the first
217 examination for licensure scheduled following their] for a period not to
218 exceed one hundred twenty calendar days after the date of graduation,
219 provided such graduate nurses are working in hospitals or
220 organizations where adequate supervision is provided, [; nor shall it
221 prohibit graduates of schools for licensed practical nurses approved
222 pursuant to section 20-90 from caring for the sick pending the results
223 of the first examination for licensure scheduled following their
224 graduation, provided such licensed practical nurses are working in
225 hospitals or nursing homes where adequate supervision is provided;
226 nor shall it prohibit any licensed nurse who is registered in another
227 state or territory and who] and such hospital or other organization has
228 verified that the graduate nurse has successfully completed a nursing
229 program. Upon notification that the graduate nurse has failed the
230 examination, all privileges under this section shall automatically cease.
231 No provision of this chapter shall prohibit any registered nurse who
232 has been issued a temporary permit by the department, pursuant to
233 subsection (b) of section 20-94, as amended by this act, from caring for
234 the sick pending the issuance of a license without examination; nor
235 shall it prohibit any licensed practical nurse who [is licensed in another
236 state or territory and who] has been issued a temporary permit by the
237 department, pursuant to subsection (b) of section 20-97, as amended by
238 this act, from caring for the sick pending the issuance of a license
239 without examination; nor shall it prohibit any qualified registered
240 nurse or any qualified licensed practical nurse of another state from
241 caring for a patient temporarily in this state, provided such nurse has
242 been granted a temporary permit from said department and provided

243 such nurse shall not represent or hold himself or herself out as a nurse
 244 licensed to practice in this state; nor shall it prohibit registered nurses
 245 or licensed practical nurses from other states from doing such nursing
 246 as is incident to their course of study when taking postgraduate
 247 courses in this state; nor shall it prohibit nursing or care of the sick,
 248 with or without compensation or personal profit, in connection with
 249 the practice of the religious tenets of any church by adherents thereof,
 250 provided such persons shall not otherwise engage in the practice of
 251 nursing within the meaning of this chapter. This chapter shall not
 252 prohibit the care of persons in their homes by domestic servants,
 253 housekeepers, nursemaids, companions, attendants or household aides
 254 of any type, whether employed regularly or because of an emergency
 255 of illness, if such persons are not initially employed in a nursing
 256 capacity.

257 Sec. 11. Subsection (c) of section 20-195bb of the general statutes is
 258 repealed and the following is substituted in lieu thereof (*Effective*
 259 *October 1, 2004*):

260 (c) No license as a professional counselor shall be required of the
 261 following: (1) A person who furnishes uncompensated assistance in an
 262 emergency; (2) a clergyman, priest, minister, rabbi or practitioner of
 263 any religious denomination accredited by the religious body to which
 264 the person belongs and settled in the work of the ministry, provided
 265 the activities that would otherwise require a license as a professional
 266 counselor are within the scope of ministerial duties; (3) a sexual assault
 267 counselor, as defined in section 52-146k; (4) a person participating in
 268 uncompensated group or individual counseling; (5) a person with a
 269 master's degree in a health-related or human services-related field
 270 employed by a hospital, as defined in subsection (b) of section 19a-490,
 271 as amended, performing services in accordance with section 20-195aa
 272 under the supervision of a person licensed by the state in one of the
 273 professions identified in subparagraphs (A) to (F), inclusive, of
 274 subdivision (2) of subsection (a) of section 20-195dd; (6) a person
 275 licensed or certified by any agency of this state and performing

276 services within the scope of practice for which licensed or certified; (7)
 277 a student, intern or trainee pursuing a course of study in counseling in
 278 a regionally accredited institution of higher education, provided the
 279 activities that would otherwise require a license as a professional
 280 counselor are performed under supervision and constitute a part of a
 281 supervised course of study; (8) a person employed by an institution of
 282 higher education to provide academic counseling in conjunction with
 283 the institution's programs and services; [or] (9) a vocational
 284 rehabilitation counselor, job counselor, credit counselor, consumer
 285 counselor or any other counselor or psychoanalyst who does not
 286 purport to be a counselor whose primary service is the application of
 287 established principles of psycho-social development and behavioral
 288 science to the evaluation, assessment, analysis and treatment of
 289 emotional, behavioral or interpersonal dysfunction or difficulties that
 290 interfere with mental health and human development; or (10) a person
 291 holding a graduate degree in the discipline of professional counseling,
 292 provided such activities and services constitute a part of such person's
 293 postgraduate degree supervised experience required by section 20-
 294 195dd.

295 Sec. 12. Subsection (a) of section 20-195 of the general statutes is
 296 repealed and the following is substituted in lieu thereof (*Effective*
 297 *October 1, 2004*):

298 (a) Nothing in this chapter shall be construed to limit the activities
 299 and services of a graduate student, intern or resident in psychology,
 300 pursuing a course of study in an educational institution registered
 301 under the provisions of section 20-189, if such activities constitute a
 302 part of a supervised course of study. No license as a psychologist shall
 303 be required of a person holding a doctoral degree based on a program
 304 of studies whose content was primarily psychological from an
 305 educational institution approved under the provisions of section 20-
 306 189, provided such activities and services are necessary to satisfy the
 307 postdoctoral work experience as required by section 20-188. The
 308 provisions of this chapter shall not apply to any person in the salaried

309 employ of any person, firm, corporation, educational institution or
310 governmental agency when acting within the person's own
311 organization. Nothing in this chapter shall be construed to prevent the
312 giving of accurate information concerning education and experience
313 by any person in any application for employment. Nothing in this
314 chapter shall be construed to prevent physicians, optometrists,
315 chiropractors, members of the clergy, attorneys-at-law or social
316 workers from doing work of a psychological nature consistent with
317 accepted standards in their respective professions.

318 Sec. 13. Section 20-206e of the general statutes is repealed and the
319 following is substituted in lieu thereof (*Effective October 1, 2004*):

320 The department may, upon receipt of an application for massage
321 therapist licensure, accompanied by the licensure application fee of
322 three hundred dollars, issue a temporary permit to a person who has
323 met the requirements of subsection (a) of section 20-206b, as amended,
324 except that the applicant has not yet sat for or received the results of
325 the examination required under said subsection (a). Such temporary
326 permit shall authorize the permittee to practice as a massage therapist
327 under the supervision of a person licensed pursuant to section 20-206b,
328 as amended. Such practice shall be limited to those settings where the
329 licensed supervisor is physically present on the premises and is
330 immediately available to render assistance and supervision, as needed,
331 to the permittee. Such temporary permit shall be valid [from the date
332 of issuance until the date of the results of the first licensure
333 examination scheduled following the permittee's] for a period not to
334 exceed one hundred twenty calendar days after the date of completion
335 of the required course of study in massage therapy and shall not be
336 renewable. Such permit shall become void and shall not be reissued in
337 the event that the permittee fails to pass such examination. No permit
338 shall be issued to any person who has previously failed the
339 examination for licensure prescribed pursuant to section 20-206b, as
340 amended, or who is the subject of an unresolved complaint or pending
341 professional disciplinary action. Violation of the restrictions on

342 practice set forth in this section may constitute a basis for denial of
343 licensure as a massage therapist.

344 Sec. 14. Subsection (a) of section 20-236 of the general statutes is
345 repealed and the following is substituted in lieu thereof (*Effective*
346 *October 1, 2004*):

347 [(a) The Department of Public Health shall hold at least four
348 examinations each year, at such times as it may determine and in such
349 locations as may be convenient, notice of each examination to be given
350 at least ten days before such examination to individual applicants. Any
351 person desiring to obtain a license shall make application to said
352 department therefor, shall pay to the department an examination fee of
353 fifty dollars and shall present himself at the next regular examination.
354 Thereupon, the Department of Public Health shall examine such
355 person, and, being satisfied that he possesses a diploma, certificate or
356 other evidence satisfactory to said department, showing graduation
357 from the eighth grade of grammar school, or possesses an equivalent
358 education to be determined on examination, is free from any
359 communicable disease, has successfully completed a course of not less
360 than fifteen hundred hours of study, both of theory and practice, at
361 any Connecticut barber school or barber college, or any barber school
362 or barber college whose requirements are equivalent to those of a
363 Connecticut barber school or barber college, and are approved by the
364 board with the consent of the Commissioner of Public Health, or is a
365 currently practicing, competent barber who holds a license to practice
366 the occupation of barber in any other state having equivalent or higher
367 entry standards, has the requisite skill in said trade to perform all the
368 duties thereof, including the preparation of the tools, shaving,
369 haircutting and all services incident thereto, and has sufficient
370 knowledge concerning the common diseases of the face and skin to
371 avoid the aggravation and spreading of such diseases in the practice of
372 said trade, shall thereupon issue to such person a license entitling him
373 to practice the occupation of master barber in this state for one year.
374 Said department may declare forfeited the application fee of any

375 applicant who has failed to appear at three successive examinations.
376 No license shall be issued without examination under this section to
377 any applicant against whom professional disciplinary action is
378 pending or who is the subject of an unresolved complaint. The
379 department shall inform the board annually of the number of
380 applications it receives for licensure without examination under this
381 section. Examinations required for licensure under this chapter shall be
382 prescribed by the department with the advice and assistance of the
383 board. The department shall establish a passing score for examinations
384 required under this chapter with the advice and assistance of the
385 board. Any person who holds a license to practice the occupation of
386 barbering in any other state or territory having licensure standards
387 similar to or higher than those of this state or any person who holds a
388 license to practice the occupation of barbering in any other state or
389 territory for a period of not less than forty years shall be eligible for
390 licensure without examination.]

391 (a) (1) Any person desiring to obtain a license as a barber shall apply
392 in writing on forms furnished by the Department of Public Health and
393 shall pay to the department a fee of fifty dollars. The department shall
394 not issue a license until the applicant has made written application to
395 the department, setting forth by affidavit that the applicant has (A)
396 successfully completed the eighth grade or has passed an equivalency
397 examination evidencing such education, prepared by the
398 Commissioner of Education, (B) completed a course of not less than
399 fifteen hundred hours of study in a school approved in accordance
400 with the provisions of this chapter, or, if trained outside of
401 Connecticut, in a barber school or college whose requirements are
402 equivalent to those of a Connecticut barber school or college, and (C)
403 passed a written examination satisfactory to the department.
404 Examinations required for licensure under this chapter shall be
405 prescribed by the department with the advice and assistance of the
406 board. The department shall establish a passing score for examinations
407 required under this chapter with the advice and assistance of the
408 board.

409 (2) Any person who (A) holds a current license to practice the
 410 occupation of barbering in any other state, the District of Columbia or
 411 in a commonwealth or territory of the United States, (B) has completed
 412 not less than fifteen hundred hours of formal education and training in
 413 barbering, and (C) was issued such license on the basis of successful
 414 completion of an examination, shall be eligible for licensing in this
 415 state and entitled to a license without examination upon payment of a
 416 fee of fifty dollars. Applicants who trained in another state, district,
 417 commonwealth or territory which required less than fifteen hundred
 418 hours of formal education and training, may substitute no more than
 419 five hundred hours of licensed work experience in such other state,
 420 district, commonwealth or territory toward meeting the training
 421 requirement. If the examination was taken in a language other than
 422 English, the applicant shall demonstrate successful completion of an
 423 English proficiency examination as prescribed by the department.

424 (3) Any person who holds a license to practice the occupation of
 425 barbering in any other state, the District of Columbia, or in a
 426 commonwealth or territory of the United States, for a period of not less
 427 than forty years, shall be eligible for licensure without examination. No
 428 license shall be issued under this section to any applicant against
 429 whom professional disciplinary action is pending or who is the subject
 430 of an unresolved complaint.

431 Sec. 15. Section 20-250 of the general statutes is repealed and the
 432 following is substituted in lieu thereof (*Effective October 1, 2004*):

433 As used in this chapter, unless the context otherwise requires:

434 (1) "Board" means the Connecticut Examining Board for Barbers,
 435 Hairdressers and Cosmeticians established under section 20-235a;

436 (2) "Commissioner" means the Commissioner of Public Health;

437 (3) "Department" means the Department of Public Health;

438 (4) "Hairdressing and cosmetology" means the art of dressing,

439 arranging, curling, waving, weaving, cutting, singeing, bleaching and
440 coloring the hair and treating the scalp of any person, and massaging,
441 cleansing, stimulating, manipulating, exercising or beautifying with
442 the use of the hands, appliances, cosmetic preparations, antiseptics,
443 tonics, lotions, creams, powders, oils or clays and doing similar work
444 on the face, neck and arms, and manicuring the fingernails [and, for
445 cosmetic purposes only, trimming, filing and painting the healthy
446 toenails, excluding cutting nail beds, corns and calluses or other
447 medical treatment involving the foot or ankle,] of any person for
448 compensation, provided nothing in this subdivision shall prohibit an
449 unlicensed person from performing facials, eyebrow arching,
450 shampooing, manicuring of the fingernails or, for cosmetic purposes
451 only, trimming, filing and painting the healthy toenails, excluding
452 cutting nail beds, corns and calluses or other medical treatment
453 involving the foot or ankle, or braiding hair;

454 (5) "Registered hairdresser and cosmetician" means any person who
455 (A) has successfully completed the ninth grade or has passed an
456 equivalency examination, evidencing such education, prepared by the
457 Commissioner of Education and conducted by the Department of
458 Public Health, and (B) holds a license to practice as a registered
459 hairdresser and cosmetician; and

460 (6) "Student" means any person who is engaged in learning or
461 acquiring a knowledge of hairdressing and cosmetology at a school
462 approved in accordance with the provisions of this chapter who has
463 successfully completed ninth grade or its equivalent. The provisions of
464 this subdivision shall not apply to schools conducted by the State
465 Board of Education.

466 Sec. 16. Section 20-252 of the general statutes is repealed and the
467 following is substituted in lieu thereof (*Effective October 1, 2004*):

468 No person shall engage in the occupation of registered hairdresser
469 and cosmetician without having obtained a license from the
470 department. Persons desiring such licenses shall apply in writing on

471 forms furnished by the department. No license shall be issued, except a
 472 renewal of a license, to a registered hairdresser and cosmetician unless
 473 the applicant has shown to the satisfaction of the department that the
 474 applicant has complied with the laws and the regulations administered
 475 or adopted by the department. No applicant shall be licensed as a
 476 registered hairdresser and cosmetician, except by renewal of a license,
 477 until the applicant has made written application to the department,
 478 setting forth by affidavit that the applicant has successfully completed
 479 the eighth grade or has passed an equivalency examination,
 480 evidencing such education, prepared by the Commissioner of
 481 Education and [conducted by the Department of Public Health and]
 482 that the applicant has completed a course of not less than fifteen
 483 hundred hours of study in a school approved in accordance with the
 484 provisions of this chapter, [or] in a school teaching hairdressing and
 485 cosmetology under the supervision of the State Board of Education, or,
 486 if trained outside of Connecticut, in a school teaching hairdressing and
 487 cosmetology whose requirements are equivalent to those of a
 488 Connecticut school and until the applicant has passed a written
 489 examination satisfactory to the department. Examinations required for
 490 licensure under this chapter shall be prescribed by the department
 491 with the advice and assistance of the board. [and shall be administered
 492 by the department under the supervision of the board] The department
 493 shall establish a passing score for examinations with the advice and
 494 assistance of the board which shall be the same as the passing score
 495 established in section 20-236, as amended by this act.

496 Sec. 17. Section 20-254 of the general statutes, as amended by section
 497 1 of public act 03-32 is repealed and the following is substituted in lieu
 498 thereof (*Effective October 1, 2004*):

499 Any person [licensed] who holds a current license as a registered
 500 hairdresser and cosmetician, or as a person entitled to perform similar
 501 services under different designations in any other state, in the District
 502 of Columbia, or in a commonwealth or territory of the United States,
 503 [whose requirements for licensing in such capacities are equivalent to

504 or higher than those of this state, upon furnishing satisfactory evidence
 505 to the department that such person was licensed in such other state,
 506 district, commonwealth or territory, and is a currently practicing,
 507 competent practitioner] and who (1) has completed not less than
 508 fifteen hundred hours of formal education and training in hairdressing
 509 and cosmetology, and (2) was issued such license on the basis of
 510 successful completion of an examination shall be eligible for licensing
 511 in this state and entitled to a license without examination upon
 512 payment of a fee of fifty dollars. [; provided such state, district,
 513 commonwealth or territory shall accord a like privilege to holders of
 514 licenses issued by this state.] Applicants who trained in another state,
 515 district, commonwealth or territory which required less than fifteen
 516 hundred hours of formal education and training may substitute no
 517 more than five hundred hours of licensed work experience in such
 518 other state, district, commonwealth or territory toward meeting the
 519 training requirement. If the examination was taken in a language other
 520 than English, the applicant shall demonstrate successful completion of
 521 an English proficiency examination as prescribed by the department.
 522 No license shall be issued under this section to any applicant against
 523 whom professional disciplinary action is pending or who is the subject
 524 of an unresolved complaint. The department shall inform the board
 525 annually of the number of applications it receives for licensure without
 526 examination under this section.

527 Sec. 18. Section 19a-420 of the general statutes is repealed and the
 528 following is substituted in lieu thereof (*Effective October 1, 2004*):

529 As used in this chapter:

530 (1) "Youth camp" means any regularly scheduled program or
 531 organized group activity advertised as a camp or operated by a
 532 person, partnership, corporation, association, the state or a municipal
 533 agency for recreational or educational purposes and accommodating
 534 for profit or under philanthropic or charitable auspices five or more
 535 children, under eighteen years of age, who are (A) not bona fide

536 personal guests in the private home of an individual, and (B) living
537 apart from their relatives, parents or legal guardian, for a period of
538 three days or more per week or portions of three or more days per
539 week, provided any such relative, parent or guardian who is an
540 employee of such camp shall not be considered to be in the position of
541 loco parentis to such employee's child for the purposes of this chapter,
542 but does not include (i) classroom-based summer instructional
543 programs operated by any person, provided no activities that may
544 pose a health risk or hazard to participating children are conducted at
545 such programs, (ii) schools which operate a summer educational
546 program, or (iii) licensed day care centers;

547 (2) "Resident camp" means any youth camp which is established,
548 conducted or maintained on any parcel or parcels of land on which
549 there are located dwelling units or buildings intended to accommodate
550 five or more children under sixteen years of age for at least seventy-
551 two consecutive hours and in which the campers attending such
552 camps eat and sleep;

553 (3) "Day camp" means any youth camp which is established,
554 conducted or maintained on any parcel or parcels of land on which
555 there are located dwelling units or buildings intended to accommodate
556 five or more children under sixteen years of age during daylight hours
557 for at least three days a week with the campers eating and sleeping at
558 home, except for one meal per day, but does not include programs
559 operated by a municipal agency;

560 (4) "Person" means any individual, partnership, association,
561 organization, limited liability company or corporation;

562 (5) "Commissioner" means the Commissioner of Public Health; and

563 (6) "Department" means the Department of Public Health.

564 Sec. 19. Section 19a-515 of the general statutes, as amended by
565 section 4 of public act 03-118 and section 20 of public act 03-3 of the

566 June 30 special session, is repealed and the following is substituted in
567 lieu thereof (*Effective October 1, 2004*):

568 (a) Each nursing home administrator's license issued pursuant to the
569 provisions of sections 19a-511 to 19a-520, inclusive, shall be renewed
570 once every two years, in accordance with section 19a-88, as amended,
571 except for cause, by the Department of Public Health, upon forms to be
572 furnished by said department and upon the payment to said
573 department, by each applicant for license renewal, of the sum of one
574 hundred dollars. Each such fee shall be remitted to the Department of
575 Public Health on or before the date prescribed under section 19a-88, as
576 amended. Such renewals shall be granted unless said department finds
577 the applicant has acted or failed to act in such a manner or under such
578 circumstances as would constitute grounds for suspension or
579 revocation of such license.

580 (b) Each licensee shall complete a minimum of forty hours of
581 continuing education every two years. Such two-year period shall
582 commence on the first date of renewal of the licensee's license after
583 October 1, [2004] 2005. The continuing education shall be in areas
584 related to the licensee's practice. Qualifying continuing education
585 activities are courses offered or approved by the Connecticut
586 Association of Healthcare Facilities, the Connecticut Association of
587 Not-For-Profit Providers For the Aging, the Connecticut Chapter of the
588 American College of Health Care Administrators, any accredited
589 college or university, or programs presented or approved by the
590 National Continuing Education Review Service of the National
591 Association of Boards of Examiners of Long Term Care
592 Administrators, or by federal or state departments or agencies.

593 (c) Each licensee shall obtain a certificate of completion from the
594 provider of the continuing education for all continuing education
595 hours that are successfully completed and shall retain such certificate
596 for a minimum of three years. Upon request by the department, the
597 licensee shall submit the certificate to the department. A licensee who

598 fails to comply with the continuing education requirements shall be
599 subject to disciplinary action pursuant to section 19a-517.

600 (d) The continuing education requirements shall be waived for
601 licensees applying for licensure renewal for the first time. The
602 department may, for a licensee who has a medical disability or illness,
603 grant a waiver of the continuing education requirements for a specific
604 period of time or may grant the licensee an extension of time in which
605 to fulfill the requirements.

606 Sec. 20. (NEW) (*Effective October 1, 2004*) An applicant for licensure
607 by endorsement shall present evidence satisfactory to the Department
608 of Public Health that the applicant is a currently practicing, competent
609 practitioner and who at the time of application is licensed or certified
610 by a similar board of another state or jurisdiction whose standards, in
611 the opinion of the department, are substantially similar to, or higher
612 than, those of this state. The department may require such applicant to
613 provide satisfactory evidence that the applicant understands
614 Connecticut laws and regulations relating to the practice of clinical
615 social work. The fee for such license shall be two hundred fifty dollars.
616 No license shall be issued under this section to any applicant against
617 whom professional disciplinary action is pending or who is the subject
618 of an unresolved complaint.

619 Sec. 21. Section 20-252a of the general statutes is repealed.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>on and after the later of the effective date of this act, or the date notice is published by the Commissioner of Public Health in the Connecticut Law Journal indicating that the licensing of athletic trainers and physical therapist assistants is being implemented by the commissioner</i>
Sec. 4	<i>October 1, 2004</i>

Sec. 5	<i>October 1, 2004</i>
Sec. 6	<i>October 1, 2004</i>
Sec. 7	<i>October 1, 2004</i>
Sec. 8	<i>October 1, 2004</i>
Sec. 9	<i>October 1, 2004</i>
Sec. 10	<i>October 1, 2004</i>
Sec. 11	<i>October 1, 2004</i>
Sec. 12	<i>October 1, 2004</i>
Sec. 13	<i>October 1, 2004</i>
Sec. 14	<i>October 1, 2004</i>
Sec. 15	<i>October 1, 2004</i>
Sec. 16	<i>October 1, 2004</i>
Sec. 17	<i>October 1, 2004</i>
Sec. 18	<i>October 1, 2004</i>
Sec. 19	<i>October 1, 2004</i>
Sec. 20	<i>October 1, 2004</i>

Statement of Purpose:

To standardize time frames for temporary licenses for certain regulated professions, to accept alternative routes to licensure for hairdressers and barbers, to specify the ages of children in youth camps, to allow unlicensed persons to perform pedicures and to provide for licensure by endorsement for clinical social workers.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]